

THE HONORABLE PAUL B. SNYDER

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

In re

WASHINGTON MUTUAL, INC.,
Debtor.

Case No. 08-12229-MFW
District of Delaware

Chapter 11

ESOPUS CREEK VALUE LP and
MICHAEL WILLINGHAM

Plaintiffs,

vs.

WASHINGTON MUTUAL, INC.,
Defendant.

Adversary No. 10-04136

**DECLARATION OF FILING NOTICE
OF REMOVAL WITH THE STATE
COURT CLERK**

John S. Kaplan states:

On May 13, 2010 I filed with the Clerk of the Superior Court of the State of Washington for Thurston County a copy of the Notice to Clerk of Superior Court of Removal, together with a copy of the Notice of Removal, by delivering such documents to the clerk for the Superior Court of Washington for Thurston County in Olympia, Washington. A conformed copy of the Notice to Clerk of Superior Court of Removal is attached hereto.

DECLARATION OF FILING NOTICE OF
REMOVAL WITH STATE COURT CLERK (NO.
10-04136) – 1

53000-0005/LEGAL18313533.1

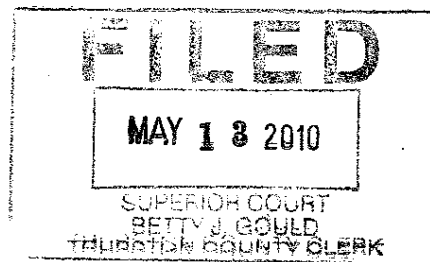
Perkins Coie LLP
1201 Third Avenue, Suite 4800
Seattle, WA 98101-3099
Phone: 206.359.8000
Fax: 206.359.9000

1 **I declare under penalty of perjury that the foregoing**
2 **is true and correct.**

3
4 EXECUTED this 13th day of May, 2010, at Seattle, Washington.

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6
7 *s/ John S. Kaplan*

8 John S. Kaplan, WSBA No. 23788
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THE HONORABLE THOMAS MCPHEE

SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR THURSTON COUNTY

ESOPUS CREEK VALUE LP and
MICHAEL WILLINGHAM

Plaintiffs,

vs.

WASHINGTON MUTUAL, INC.,

Defendant.

No. 10-2-00845-1

NOTICE TO CLERK OF SUPERIOR
COURT OF REMOVAL

(Clerk's Action Required)

TO: Clerk of the Superior Court of the State of Washington for Thurston County

NOTICE IS HEREBY GIVEN, pursuant to 28 U.S.C. § 1446(d), that on May 13,
2010, defendant Washington Mutual, Inc filed in the U.S. District Court for the Western
District of Washington, and by reference in the U.S. Bankruptcy Court for the Western

NOTICE TO CLERK OF SUPERIOR COURT
OF REMOVAL – 1

53000-0005/LEGAL18313528.1

Perkins Coie LLP
1201 Third Avenue, Suite 4800
Seattle, WA 98101-3099
Phone: 206.359.8000
Fax: 206.359.9000

1 District of Washington, a Notice of Removal of the above entitled action. A copy of the
2
3 Notice of Removal is attached hereto.

4
5 **YOU ARE ALSO ADVISED** that contemporaneous with filing of the attached copy
6
7 of the Notice of Removal, the Superior Court of Washington for Thurston County ceased to
8
9 have jurisdiction over this action and may proceed no further unless and until the case is
10
11 remanded.

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13 DATED this 13th day of May, 2010.
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16 **PERKINS COIE LLP**

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19 By: 

20 John S. Kaplan, WSBA No. 23788

21 JKaplan@perkinscoie.com

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34 Attorneys for Washington Mutual, Inc.
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